

Sarah Lansdale Commissioner Department or Economic Development and Planning
Division of Planning and Environment

STAFF REPORT SECTIONS A14-14 THRU A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Crest Islandia LLC & Crest Hauppauge, LLC

Municipality: Inc. Village of Islandia

Location: n/e/c Veterans Memorial Highway (NYS Rte. 454) and

Blydenburgh Road

Received: 9/29/2022 **File Number:** Is-22-03

T.P.I.N.: 0504 00700 0200 019000, 022000, 023000, 024000 &

0504 01200 0200 010000, 002000, 004001, 004002,

004003, 005000

Jurisdiction: Adjacent to NYS Rte. 454 (Veterans Memorial Highway)

and NYS Rte. 495 (Long Island Expressway) S. Service

Road.

ZOING DATA

Zoning Classification Office ("O")
 Minimum Lot Area (Sq. Ft): 20,000 SF
 Section 278: NA
 Obtained Variance: NA

SUPPLEMENTARY INFORMATION

•	Within Agricultural District:	No
•	Shoreline Resource/Hazard Consideration:	No
•	Received Health Services Approval:	No
•	Property Considered for Affordable Housing Criteria:	No
•	Property has Historical/Archaeological Significance:	No
•	Property Previously Subdivided:	Yes
•	Property Previously Reviewed by Planning Commission:	No
•	SEQRA Information:	Yes
•	SEQRA Type	Type I
•	Minority or Economic Distressed	No

SITE DESCRIPTION

Present Land Use: Office Campus

• Existing Structures: Multiple: (4 sty. brick and glass office bldg. +

10 1sty. Brick and masonry bldgs.

General Character of Site: Slightly sloping to south-east

Range of Elevation within Site: ~ 80' amsl

Cover: Buildings, concrete, asphalt, some

landscaping.

Soil Types Cut and fill, Plymouth series

Range of Slopes (Soils Map): 3-15%Waterbodies or Wetlands: None

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

Type: Amendment to zoning code & special permit

& site plan

Layout: Single building

Area of Tract (Acres): 17.09
Yield Map: No
No. of Lots: 1
Open Space: 0

ACCESS

Roads: PublicDriveways: Private

ENVIRONMENTAL INFORMATION

Stormwater Drainage

Design System: Catch basins - leaching pools

Recharge Basins: No
 Groundwater Management Zone: I
 Water Supply: Public
 Sanitary Sewers: Public

STAFF ANALYSIS

Overview – This referral to the Suffolk County Planning Commission from the Inc. Village of Islandia includes a request to develop a 260,686 SF single story (≤ 60' tall) warehouse and office building.

The subject development site includes the assemblage of ten (10) improved parcels of land at the north east corner of Veterans Memorial Highway (NYS Rte. 454) and Blydenburgh Road within the Ind. Village of Islandia.

The development request includes a petition to change the existing zoning district "Office" ("O") on ten parcels of land totaling approximately 17.02 acres to the "Office Industrial" district ("OI").

Appendix A of the Suffolk County Planning Commission Guidebook, completed by the Village of Islandia and referred to the Planning Commission as part of the "full statement" of facts indicates that the request also includes a petition for special permit in the "OI" zoning district (mixed use "warehouse with office"). The materials indicated that the referral is also a request to approve a site plan for the subject development application.

The proposed "warehouse with office" building construction will require the demolition of a total of eleven (11) buildings; each on previously separate lots. The New York State Environmental Quality Review Act (SEQRA) Environmental Assessment Form (EAF pg. 8) completed by the project sponsor and referred to the Suffolk County Planning Commission by the Inc. Village of Islandia indicates the proposed project will generate, during construction, approximately 17 tons of solid waste per week over a 24 month (EAF pg. 3) period. There is no indication that this number includes demolition debris and it is not indicated what the proposed disposal method will be,

The total area of the subject development parcels equals 17.02 acres or 744,440 square feet and the total proposed building floor area is 260,686 gross square feet (as shown on the "Concept Plan" prepared by Bohler Engineering NY, PLLC dated 7/7/2022, signed by Dale E. Koch, PE). The lot occupancy or floor to area ratio (FAR) is proposed at 0.35. This would be consistent with the light industrial district limitation of .40.

Access to the proposed "warehouse with office" building is to be from two curb cuts to Veterans Memorial Highway (NYS Rte. 454) that, due to the construction of the state road, are likely to be right turn only ingress/egress westbound. A third access point is to Expressway Drive South Service Road of the Long Island Expressway (NYS Rte. 495). This access point is also right turn only ingress/egress but directs traffic eastbound.

The Inc. Village of Islandia zoning law requires 552 off street parking stalls and the proposed Crest Islandia, LLC (et al.) development is not in conformance with the requirement by providing a total of 419 stalls (133 stalls or 24% short of the required amount). Off street parking proposed is to be all surface parking.

Public water to the development site is to be provided by the Suffolk County Water Authority (SCWA). According to the Environmental Assessment Form (EAF pg. 5.), referred to the Suffolk County Planning Commission by the Inc. Village of Islandia, a total of 10,427gallons per day will be newly required from the supply network. The EAF did not indicate that the existing public water supply would have the capacity to serve the proposal.

Sanitary wastewater from the proposed Crest Ialandia LLC (et. al.) "warehouse with office" development is anticipated to be approximately 10,427 gallons per day [sic] (, EAF pg. 5) and is indicated in the referral material that the project will not use any existing public wastewater treatment facility. The method of treatment is not indicated. It is indicated however, that the wastewater flow exceeds the permitted sanitary density flow capacity for the development parcel. The applicant is proposing the use of 0.58 Pine Barrens Credit (173.44 gallons).

Storm water runoff is reported, in the EAF (pg. 6) that was referred to the Suffolk County Planning Commission from the Inc. Village of Islandia, to be collected by "curbs, concentrating flow of stormwater to onsite stormwater management structures." The EAF indicates that 13.67 acres of the 17.09 acre site will be impervious surface. The development approval will require a Storm Water Pollution Prevention Plan (SWPPP) promulgated by the New York State Department of Environmental Conservation.

An analysis of the character of the area indicates that the affected lands are located in a neighborhood predominated by Office "O" District. The subject properties are currently zoned Office. There is a parcel of industrial zoning along the LIE to the north (not adjacent) and governmental/educational and medium density single family zoning adjacent and to the east. To the south across Veterans Memorial Highway (NYS Rte. 454) is commercial zoning that contains a large shopping center. To the west is improved "Office and Industrial" zoned parcels.

Land uses in the area are reflective of the zoning districts consisting of a mix of commercial and office uses. Adjacent and east of the subject site is detached residential dwellings. The subject area is bordered by New York State Route 454 – Veterans Memorial Highway to the south and Blydenburgh Road (Village street) to the west. The development site is bordered to the north by commercial structures but has a "flag" access to the LIE-495 service road (Expressway Drive South Service Road).

The subject development parcels are situated in Hydro-geologic Ground Water Management Zone I pursuant to Article 6 of the Suffolk County Sanitary Code. The target area is not located in a Special Groundwater Protection Area (SGPA). The subject area is not located in a State Critical Environmental Area. No local, state or federally regulated wetlands occur on site. The project sponsor indicates (EAF pg. 11) that the subject development property is adjacent to "wetlands" that are "regulated by federal state or local agency". Moreover, it is indicated that the development site is located "0.66 miles" from the Connetquot River State Park.

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-I provides for the Suffolk County Planning Commission to consider inter-community issues. Included are such issues as compatibility of land uses, community character, public convenience and maintaining a satisfactory community environment.

The proposed change of zone to the Office/Industrial District appears to be a logical use of the property that continues the use of office on site in a mixed use building containing light industrial (warehouse) use. The O/I district would allow greater flexibility in the site use and with proper considerations for buffering the residential uses to the east would not significantly adversely affect the neighborhood character or public convenience.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The 1995 Village of Islandia Comprehensive Plan targets this development site for Office District uses.

The following is a passage from the Comprehensive Plan regarding the Office/Industry district:

"To restrict such areas to purely office use would create a high number of unnecessary non-conforming uses and deny the existence and legitimacy of lighter industrial uses being able to coexist with office uses. At the same time, to designate these for all manner of industrial uses has the potential for downgrading the aesthetics and real estate value of these areas and diminishing their potential for high value office uses."

It is the belief of the staff of the Suffolk County Planning Commission that the proposed change of zone request to Office/Industrial is consistent with the transitional nature of the current office economy. The flexibility allowed in the O/I District preserves the consistency of both the office and light industrial use in the vicinity.

The preexisting gross floor area of the prior uses (approximately 194,687 SF) compared to the proposed gross floor area (260,686 SF) is twenty-five percent (25%) smaller than the intended Crest Islandia LLC warehouse. The increase in as-of-right square footage of the proposed development can be mitigated with substantial buffering, architectural and operational restrictions.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS: The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities that include:

- 1. Environmental Protection
- 2. Energy efficiency
- 3. Economic Development, Equity and Sustainability
- 4. Housing Diversity
- 5. Transportation and
- 6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above policies:

With regard to environmental protection, it is noted that new construction of the proposed "warehouse with office" building on the subject property will require the demolition of a total of eleven (11) buildings with a gross floor area of approximately 194,687 SF. The New York State Environmental Quality Review Act (SEQRA) Environmental Assessment Form (EAF pg. 8) completed by the project sponsor and referred to the Suffolk County Planning Commission by the Inc. Village of Islandia indicates the proposed project will generate, during construction approximately 17 tons of solid waste per week over a 24 month period. There is no indication that this number includes demolition debris and it is not indicated what the proposed disposal method will be.

It is the belief of the staff that demolition of existing structures and infrastructure should be carried out under strict monitoring to prevent impacts to the residential dwellings adjacent and to the east of the development site

Prior to any demolition, Phase 1 and if warranted, phase 2 Environmental Site Assessments (ESA's) should be conducted including Asbestos Abatement Plans and the identification of all existing or potential environmental contaminants identified. This information should be made available to the public as part of the NYS Environmental Quality Review Process. Any onsite recycling operations should be conducted at the furthest point from sensitive residential development.

Moreover, in order to mitigate potential noise impacts to residential properties to the east, the premises should be encumbered by appropriate operational restrictions to adequately protect nearby residences (i.e. shielded lighting, hours of operation, truck deliveries, garbage pick-up, truck idling, outdoor speaker systems, building alarms, trash compaction, etc.).

The project sponsor indicates (EAF pg. 11) that the subject development property is adjacent to "wetlands" that are "regulated by federal state or local agency". While the "wetland" is a storm water drainage recharge basin, it may be mapped by the US Fish and Wildlife Service. The applicant should be directed to flag in the field the most landward limit of wetland vegetation.

The flagging should be conducted by a qualified professional and validated by the appropriate regulatory agency. All development should be set back in accordance with the appropriate regulatory setbacks for disturbance and the construction of structures. In addition, the applicant should be directed to contact the New York State Department of Environmental Conservation (NYS DEC) and seek a letter of non-jurisdiction or a wetland permit.

Sanitary wastewater from the proposed Crest Ialandia LLC (et. al.) "warehouse with office" development is anticipated to be approximately 10,427 gallons per day (, EAF pg. 5) and is indicated in the referral material that the project will not use any existing public wastewater treatment facility. The method of treatment is not indicated. Moreover, it is indicated that the development site is located "0.66 miles" from the Connetquot River State Park. Wastewater elements discharged to the ground may ultimately enter the Connetquot River subwatershed. The applicant should be directed to contact the Suffolk County Department of Health Services and continue/begin discussions with the department as to the method of sanitary waste disposal.

Storm water runoff is proposed to be collected by "curbs, concentrating flow of stormwater to onsite stormwater management structures." The EAF, in referral materials to the Suffolk County Planning Commission from the Inc. Village of Islandia Board of Trustees, indicates that 13.67 acres of the 17.09 acre site will be impervious surface. The recharge basin to the north is not mentioned. The development approval will require a Storm Water Pollution Prevention Plan (SWPPP) promulgated by the New York State Department of Environmental Conservation. There may be opportunity to decrease surface parking and increase natural methodologies to treat storm water runoff. The Suffolk County Planning Commission publication on Managing Stormwater - Natural Vegetation and Green Methodologies should be reviewed by the Petitioner.

It is noted by staff to the Suffolk County Planning Commission that 419 vehicle off-street parking spaces are proposed. Parking stall demand reduction techniques should be considered to decrease the required off street parking and increase the amount of landscaping vegetation. See the below link to the Suffolk County Planning Commission publication on Parking Stall Demand Reduction as a methodology to create a nexus for parking forgiveness and developer provided public benefits.

https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/SCPlanningCommission/2019/PSDR%20Final%20Draft%20103019.pdf

Land-banked parking area and areas created via the use of Parking Stall Demand reduction techniques can be landscaped or vegetated and utilized for natural drainage and buffering of the residential homes to the east. The applicant should be encouraged to review the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

Little discussion is made in the application to the Village of Islandia and referred to the Commission on energy efficiency, Significant accommodations for energy efficiency and collaterally, mitigations to climate change can be made by considering the following best management practices:

When planning the layout of a development, consideration should be given to providing solar access.
This means, where possible, laying out buildings in an East/West direction so that south facing windows
and solar collectors, whether to be installed immediately or planned for the future, can get direct
sunlight.

New development should be required to install energy efficient appliances using the Energy Star label.
Whenever possible all new residential, commercial and industrial buildings should include the use of renewable energy through the utilization of rooftop solar, wind, fuel cells and/or geothermal system and other energy storage devices.
All new development with parking lots should have plans for (2%) of off street parking stalls to become future electric vehicle charging stations.
All new development with parking lots should designate a minimum (8%) of parking spaces for clean energy vehicles, but should not increase the number of parking spaces beyond the minimum required in order to provide such designations.
On-site pedestrian walkways should be provided to abutting roadways to enhance accessibility to nearby public transportation services
Promote connectivity between developments in order to improve pedestrian access to public transportation sites.
All development should consider turning roofs, driveways and roads from heat absorbers to reflectors such as cool roofs and cool paving surfaces, or incorporate permeable payments were advisable.
Parking Stall Demand Reduction, to lessen parked and idling cars, decrease trip generation and avoid unnecessary disturbance to CO2 absorbing vegetation, should be employed.

There was no Traffic Impact Analysis (TIA) referred to the Suffolk County Planning Commission from the Inc. Village of Islandia for the Crest Islandia, LLC "warehouse with office" proposal. The applicant will be required to investigate passenger motor vehicle and truck tip generation and distribution traffic characteristics with the New York State Department of Motor Vehicles as part of the access permit process. Impacts and mitigations to NYS Rte. 454 (Veterans Memorial Highway) and NYS Rte. 495 (Expressway Drive South Service Road – Long Island Expressway) should be outlined in the TIA and submitted to the Inc. Village of Islandia as part of the environmental quality review record.

It is the belief of the staff of the Suffolk County Planning Commission that the proposed six (6) acre (260,686 SF) single story (≤ 60' tall) "warehouse with office" building eighty (80) feet from the right-of-way of Veterans Memorial Highway (see "Concept Plan" prepared by Bohler Engineering NY, PLLC dated 7/7/2022, signed by Dale E. Koch, PE) would be a massive and imposing structure with an unbroken front facing façade length of over 800 feet along the roadway view shed. Detailed elevation drawings are necessary for the proposed building that demonstrates an appearance of an articulated building frontage and not a continuous blank front wall.

It is indicated in referral material sent to the Suffolk County Planning Commission from the Inc. Village of Islandia that "special permit" approval is sought for the Crest Islandia LLC & Crest Hauppauge LLC, construction of the "warehouse with office" mixed use building. According to the Village of Islandia zoning law, a special permit is a "conditional use" or a "use that, owing to some special characteristics attendant to its operation ... is permitted in a district subject to ... special requirements, different from those usual requirements for the district in which the conditional use may be located."

Section 177-110 of the Inc. Village of Ialandia Zoning Law (Special permit considerations) lists little, in the opinion of Suffolk County Planning Commission staff, which would preclude the consideration of the proposed use; waste water treatment methodology, the building mass, front

façade and buffering the adjacent residential dwellings to the east notwithstanding.

It is indicated in referral material sent to the Suffolk County Planning Commission from the Inc. Village of Islandia that "site plan" approval is sought for the Crest Islandia LLC & Crest Hauppauge LLC, construction of the "warehouse with office" mixed use building. Only a "Concept Plan" (prepared by Bohler Engineering NY, PLLC dated 7/7/2022, signed by Dale E. Koch, PE) was referred to the Commission. Chapter 140 of the Inc. Village of Islandia Code requirements were not sent and therefore the Suffolk County Planning Commission is not in possession of the "full statement" of facts to properly review the site plan aspect of the referral.

The Inc. Village of Islandia should refer to the Suffolk County Planning Commission, pursuant to New York State General Municipal Law section 239 and the Suffolk County Administrative Code Article XIV; subsection A14-25 the "full statement" of facts relative to the "Site Plan" consistent with the Inc. Village of Islandia Code, Chapter 140 Site Pan Approval.

Little discussion in the referral materials to the Suffolk County Planning Commission from the Inc. Village of Islandia Board of Trustees related to public safety or universal design was included. The petitioner should be directed to review the Suffolk County Planning Commission Guidelines on public Safety and Universal design and incorporate where practical design elements therein.

STAFF RECOMMENDATION

- **1. Approval** of the **change of zone** petition by Crest Islandia, LLC & Crest Hauppauge LLC, from Office ("O") district to Office Industrial ("OI") district.
- 2. Approval of the special permit petition by Crest Islandia, LLC & Crest Hauppauge LLC, allowing the construction of a one story (260,686 SF) "warehouse with office" building.

With the following Condition and Comments:

Condition:

1. The Inc. Village of Islandia shall refer to the Suffolk County Planning Commission, pursuant to New York State General Municipal Law section 239 and the Suffolk County Administrative Code Article XIV; subsection A14-25 the "full statement" of facts relative to a "Site Plan" review consistent with the Inc. Village of Islandia Code, Chapter 140 Site Pan Approval.

Reason: It is indicated in referral material sent to the Suffolk County Planning Commission from the Inc. Village of Islandia that "site plan" approval is sought for the Crest Islandia LLC & Crest Hauppauge LLC, construction of the "warehouse with office" mixed use building. Only a "Concept Plan" (prepared by Bohler Engineering NY, PLLC dated 7/7/2022, signed by Dale E. Koch, PE) was referred to the Commission. Chapter 140 of the Inc. Village of Islandia Code requirements were not sent and therefore the Suffolk County Planning Commission is not in possession of the "full statement" of facts to properly review the site plan aspect of the referral.

Comments:

1. The applicant should be directed to flag in the field the most landward limit of wetland vegetation. The flagging should be conducted by a qualified professional and validated by

the appropriate regulatory agency.

All development should be set back in accordance with the appropriate regulatory setbacks for disturbance and the construction of structures.

- The applicant should be directed to contact the New York State Department of Environmental Conservation (NYS DEC) and seek a letter of non-jurisdiction or a wetland permit.
- 3. The applicant should be directed to begin/continue dialogue with the Suffolk County Water Authority and discuss any engineering improvements needed to the potable water distribution network and acquire a "Letter of Water Availability".
- 4. The applicant should be directed to begin/continue dialogue with the Suffolk County Department of Health Services and Suffolk County Department of Public Works for review and approval of the wastewater treatment methodology.
- 5. Additional considerations for overland storm water runoff on site are warranted. The Applicant should be encouraged to review the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
- 6. Four hundred thirty three (433) vehicle off-street parking spaces are proposed. Parking stall demand reduction techniques should be considered to decrease the required off street parking and increase the amount of landscape vegetation. See the below link to the Suffolk County Planning Commission publication on Parking Stall Demand Reduction as a methodology to create a nexus for parking forgiveness and developer provided public benefits

 $\underline{https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/SCPlanningCommission/2019/PSDR\%20Final\%20Draft\%20103019.pdf}$

Land-banked parking area and areas created via the use of Parking Stall Demand reduction techniques can remain vegetated and utilized for natural drainage. The applicant should be encouraged to review the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

- 7. The applicant should prepare a Traffic Impact Analysis (TIA) and be encouraged to begin/continue dialogue with the New York State Department of Transportation regarding impacts to NYS Rte. 454 (Veterans Memorial Highway) and NYS Rte. 495 (Expressway Drive South Service Road Long Island Expressway).
- 8. The applicant should review the Suffolk County Planning Commission guidelines particularly related to Energy Efficiency and incorporate into the proposal, where practical, design elements contained therein. Accommodation for rooftop solar should be made for now or for in the future. The following best management practices are recommended:
 - When planning the layout of a development, consideration should be given to providing solar access. This means, where possible, laying out buildings in an East/West direction so that south facing windows and solar collectors, whether to be installed immediately or planned for the future, can get direct

sunlight.
New development should be required to install energy efficient appliances using the Energy Star label.
Whenever possible all new residential, commercial and industrial buildings should include the use of renewable energy through the utilization of rooftop solar, wind, fuel cells and/or geothermal system and other energy storage devices.
All new development with parking lots should have plans for (2%) of off street parking stalls to become future electric vehicle charging stations.
All new development with parking lots should designate a minimum (8%) of parking spaces for clean energy vehicles, but should not increase the number of parking spaces beyond the minimum required in order to provide such designations.
On-site pedestrian walkways should be provided to abutting roadways to enhance accessibility to nearby public transportation services.
Promote connectivity between developments in order to improve pedestrian access to public transportation sites.
All development should consider turning driveways and roads from heat absorbers to reflectors such as cool roofs and cool paving surfaces, or incorporate permeable payments were advisable.
Parking Stall Demand Reduction, to lessen parked and idling cars, decrease trip generation and avoid unnecessary disturbance to CO2 absorbing vegetation, should be employed.

- 9. The applicant should review the Suffolk County Planning Commission guidelines particularly related to Universal Design and incorporate into the proposal, where practical, design elements contained therein.
- 10. The applicant should review the Suffolk County Planning Commission guidelines particularly related to Public Safety and incorporate into the proposal, where practical, design elements contained therein.
- 11. Parking area at the southeast corner of the development site should be land banked and landscaped to provide a vegetated buffer to the residential dwellings adjacent and to the east of the Crest Ialandia, LLC, development site.
- 12. In order to mitigate potential noise impacts to residential properties to the east, the premises should be encumbered by appropriate operational restrictions to adequately protect nearby residences (i.e. shielded lighting, hours of operation, truck deliveries, garbage pick-up, truck idling, outdoor speaker systems, building alarms, trash compaction, etc.

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